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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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In the Matter of )  
 )  
Advanced Television Systems )  
and Their Impact Upon the ) MM Docket No. 87-268  
Existing Television Broadcast )  
Service )

To: The Commission

**OPPOSITION TO PETITION FOR RECONSIDERATION  
FILED BY LIBERTY CHRISTIAN CENTER**

By its attorneys and pursuant to Section 1.429(f) of the Commission's rules, Third Avenue Television, Inc. ("Third Avenue"), the licensee of KMOV(TV), Channel 4, St. Louis, Missouri, hereby opposes the June 13, 1997 petition filed by Liberty Christian Center ("Liberty"), the licensee of low power television ("LPTV") station W57BS, Channel 57, Alton, Illinois, for reconsideration of the Commission's Sixth Report and Order ("Sixth R&O") in the above-captioned proceeding.<sup>1</sup> Specifically, Third Avenue opposes Liberty's request that KMOV's paired channel for digital television ("DTV") service be changed from Channel 56 to Channel 16.

In its petition, Liberty states that because KMOV is only 27 miles from the W57BS transmitter site, W57BS' Channel 57 will cause interference to and receive interference from KMOV's adjacent DTV Channel 56. Consequently, W57BS will have to relocate to another

<sup>1</sup> FCC 97-115, released April 21, 1997, 62 Fed. Reg. 26684 (May 14, 1997).

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non-interfering channel or cease operations. Liberty therefore requests that DTV Channel 16, rather than Channel 56, be assigned to KMOV for its digital operations in order to protect W57BS' continued use of Channel 57. Liberty does not, however, provide any showing whatsoever to demonstrate that DTV Channel 16 is a viable allotment with respect to service replication and interference protection. Indeed, as demonstrated in the Engineering Statement appended hereto as Attachment 1, it is clear that DTV Channel 16 is a far inferior allotment compared to DTV Channel 56. KMOV's use of DTV Channel 16 would cause substantial interference to two other full-power stations also operating on that channel. Moreover, interference received from those same two stations would cause KMOV's service area to be substantially reduced if it operates on DTV Channel 16. Accordingly, DTV Channel 56 is much better suited for providing quality digital television service to KMOV's current service area.

As support for its petition, Liberty simply provides a description of the public interest benefits that may be lost if W57BS is displaced and no alternative LPTV channel is available for the station. The Commission has determined, however, that secondary stations are not to be accorded the same status or level of interference protection given to full-power stations during the DTV transition.<sup>2</sup> Accordingly, the protection of Liberty's LPTV operations on Channel 57 cannot be deemed to outweigh the public interest benefits that would result from KMOV's prompt initiation of digital television service on DTV Channel 56.


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<sup>2</sup> See, e.g., Sixth R&O at ¶¶ 141-143.

For the foregoing reasons, Third Avenue respectfully requests that the Commission deny Liberty's petition and retain KMOV's DTV allotment of Channel 56.

Respectfully submitted,

**THIRD AVENUE TELEVISION, INC.**

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July 18, 1997

## **ATTACHMENT 1**

*Jules Cohen, P.E.*  
*Consulting Engineer*

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**ENGINEERING STATEMENT ON BEHALF OF  
THIRD AVENUE TELEVISION, INC.  
IN SUPPORT OF REPLY TO PETITION FOR RECONSIDERATION  
KMOV, ST. LOUIS, MISSOURI  
MM DOCKET NO. 87-268**

This engineering statement was prepared on behalf of Third Avenue Television, Inc., licensee of television broadcast station KMOV, St. Louis, Missouri, in support of a reply to the Petition for Reconsideration filed by Liberty Christian Center ("LCC") in the matter of Advanced Television Systems and Their Impact on Existing Television Services (MM Docket No. 87-268). In the Sixth Report and Order in the referenced proceeding, the Commission assigned channel 56 to KMOV for its digital television (DTV) operation. LCC, in its Petition, requests that the KMOV DTV channel assignment be changed from 56 to 16 in order to avoid requiring the LCC low power television (LPTV) station W57BS to move to an alternate channel to avoid causing and receiving interference to and from the proposed KMOV operation on channel 56.

As shown herein, channel 16 is not a suitable substitute for channel 56 at KMOV for its DTV operation during the transition period. Substantial interference would be caused to two licensed television broadcast stations operating on channel 16. Furthermore, interference received from those same two stations would cause DTV service to fall far short of the 99.6 percent replication of KMOV's present operation predicted by the Commission.

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*Consulting Engineer*

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WTJR is licensed to operate at Quincy, Illinois, on channel 16 with effective radiated power of 603 kilowatts and antenna height above average terrain of 302 meters. Its transmitter site location is identified by the coordinates: 39° 58' 18" North, 91° 19' 42" West. The station has an application pending to increase effective radiated power to 1,020 kilowatts at 308 meters above average terrain at the same transmitter site. WTJR is 183.1 kilometers (113.8 miles) from KMOV on a true bearing of 331.3 degrees.

The desired-to-undesired ratio for the onset of interference from digital to analog operations is 34 dB $\mu$  (§ 73.623(c)(2)). The Grade B contour level for channel 16 is 61.9 dB $\mu$  when the basic 64 dB $\mu$  is corrected for the frequency-dependent antenna dipole factor as set forth in OET Bulletin No. 69. Including a 6 dB receiving antenna discrimination factor, the interfering contour from the DTV station is the 33.9 dB $\mu$  f(50,10). Using the Longley-Rice methodology (version 1.2.2), the interfering contour from a DTV operation of KMOV would encompass totally the WTJR Grade B contour. Despite some limiting of WTJR service within its Grade B contour because of terrain factors, interference to WTJR from the KMOV DTV operation on channel 16 would be substantial.

The desired-to-undesired ratio for the onset of interference from an analog television station to a digital television station is 2 dB. For a channel 16 DTV station, the noise-limited contour level is 38.9 dB $\mu$  f(50,90). Applying a 14 dB front-to-back ratio for the UHF digital receiving antenna as specified in Table 6 of OET Bulletin No. 69, the analog, f(50,10) interfering contour level is 50.9 dB $\mu$ . The WTJR f(50,10) 50.9 dB $\mu$  contour penetrates well

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into the predicted KMOV DTV noise-limited area, resulting in the production of significant interference.

WUSI-TV is licensed to operate at Olney, Illinois, on channel 16 with effective radiated power of 1,150 kilowatts maximum, directional, and antenna height above average terrain of 283 meters. Its transmitter site location is identified by the coordinates: 38° 50' 18" North, 88° 07' 46" West. The station is 191.9 kilometers (118.7 miles) from KMOV at a true bearing of 79.0 degrees.

The situation with WUSI-TV is similar to that with WTJR. Interference to WUSI-TV would be substantial if KMOV operates its digital station on channel 16. Furthermore, interference would be received by KMOV from WUSI-TV.

The conclusion of the engineering study is that channel 16 may be a viable channel for DTV operation by KMOV after the transition period (depending on the status of the allotment table at that time), but interference with existing analog stations would not permit its use during the transition period.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 17, 1997.



Jules Cohen, P.E.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing "Opposition to Petition for Reconsideration Filed By Liberty Christian Center" was served via first-class postage prepaid mail this 18<sup>th</sup> day of July, 1997, to the following:

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Cheryl Petersen